

IC 22-4.5-3

Chapter 3. State Plan and Establishment of Workforce Investment Areas

IC 22-4.5-3-1

Unified state plan

Sec. 1. The state board shall recommend to the governor a unified state plan for the workforce investment system that includes:

- (1) secondary vocational education programs authorized under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.); and
- (2) the programs of one stop partners designated by the governor.

As added by P.L.179-1999, SEC.5.

IC 22-4.5-3-2

Designation of workforce investment areas

Sec. 2. (a) The department shall designate not more than sixteen (16) workforce investment areas consistent with the state plan. An initial designation as a workforce investment area may not have a duration of more than two (2) years. If a designated workforce investment area meets all criteria under subsection (b) and the performance requirements of the department and federal law during the two (2) year period, the area's designation as a workforce investment area shall be continued for the next three (3) years.

(b) The department shall use the following criteria in designating a workforce investment area:

- (1) The geographic areas served by local educational agencies.
- (2) The geographic areas served by postsecondary educational institutions and area vocational schools.
- (3) The extent to which the geographic areas are consistent with labor market areas.
- (4) The distance that individuals will need to travel to receive services.
- (5) The resources that are available to effectively administer workforce investment activities.
- (6) Requests from the chief elected officials who represent at least fifty-one percent (51%) of the population of the area requesting designation.

(c) The department shall:

- (1) require areas that share a labor market or an economic region to develop a single joint plan; and
- (2) align other administrative areas of the department with the regional planning areas to the extent practicable.

As added by P.L.179-1999, SEC.5.

IC 22-4.5-3-3

Regional board; establishment and members

Sec. 3. (a) A workforce investment area shall be overseen by a regional board that complies with the Workforce Investment Act.

The regional board shall serve as a board or council for any future federal or state workforce investment fund that requires the use of a local or regional board or council.

(b) The governor, in partnership with the state board, shall establish criteria to be used by chief elected officials in the workforce investment areas for appointment of members of the regional boards. The criteria must include at least the following:

(1) The membership of each regional board must include the following:

(A) Representatives of business in the workforce investment area who:

(i) are owners of businesses, chief executives, or operating officers of businesses, and other business executives, or employers with optimum policy making or hiring authority;

(ii) represent businesses with employment opportunities that reflect the employment opportunities of the workforce investment area; and

(iii) are appointed from among individuals nominated by local business organizations and business trade associations.

(B) Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literary activities, and postsecondary educational institutions (including representatives of community colleges, if applicable). Members described in this clause must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing local educational entities.

(C) Representatives of labor organizations (for a workforce investment area in which employees are represented by labor organizations) who have been nominated by local central labor councils. If no employees in the workforce investment area are represented by labor organizations, members selected under this clause must be representatives of employees.

(D) Representatives of community based organizations, including organizations representing individuals with disabilities and veterans, for a local area where these organizations exist.

(E) Representatives of economic development agencies, including private sector economic development entities.

(F) Representatives of each of the one stop partners.

(2) The membership of each regional board may also include any other individuals or representatives of entities that the chief elected official in the workforce investment area determines to be appropriate.

(c) Members of a regional board who represent organizations, agencies, or other entities must be individuals with optimum policy

making authority within the organizations, agencies, or entities.

(d) A majority of the members of each regional board must be members described in subsection (b)(1)(A).

(e) Each regional board shall elect a chairperson for the regional board from among the members described in subsection (b)(1)(A).

(f) At least fifteen percent (15%) of the voting members of the regional board must be representatives of labor.

As added by P.L.179-1999, SEC.5.

IC 22-4.5-3-4

Incumbent worker councils; establishment and members

Sec. 4. (a) Each regional board shall establish an incumbent worker council as an advisory committee to the regional board.

(b) The regional board, with the cooperation of the chief elected official, shall appoint members of the incumbent worker council under criteria established by the department. At least thirty-three percent (33%) of the members of the incumbent worker council must be representatives of labor.

(c) A member of the incumbent worker council who is not a member of the regional board at the time the member is appointed to the incumbent worker council is:

- (1) a voting member of the incumbent worker council; and
- (2) a nonvoting member of the regional board.

(d) The incumbent worker council shall develop and recommend to the regional board a plan to develop the incumbent workforce of the workforce investment area. The department shall provide technical assistance to the incumbent worker council and regional board in the development of the plan.

(e) Subject to approval by the regional board, the incumbent workforce development plan developed under this section must be incorporated into the workforce investment plan submitted by the regional board to the department.

As added by P.L.179-1999, SEC.5.

IC 22-4.5-3-5

Youth councils; establishment and members

Sec. 5. (a) Each regional board shall establish a youth council as an advisory committee to the regional board.

(b) The regional board, with the cooperation of the chief elected official, shall appoint members of the youth council under criteria established by the department. The regional board and chief elected official may appoint the school-to-work partnership serving the area as the youth council if the school-to-work partnership meets the membership requirements for the youth council set forth in the Workforce Investment Act.

(c) A member of the youth council who is not a member of the regional board at the time the member is appointed to the youth council is:

- (1) a voting member of the youth council; and
- (2) a nonvoting member of the regional board.

(d) The youth council shall:

- (1) develop and recommend to the regional board a plan for eligible youth;
- (2) recommend to the regional board eligible providers of youth activities to which the regional board may award grants or contracts on a competitive basis;
- (3) oversee eligible providers of youth activities in the workforce investment area; and
- (4) coordinate youth activities authorized under the Workforce Investment Act.

(e) The youth plan developed under this section must be incorporated into the workforce investment plan submitted by the regional board to the department.

As added by P.L.179-1999, SEC.5.